

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

| | | |
|---------------------------|---|------------------------------------|
| TIMOTHY JOSEPH SCHITTLER, |) | |
| |) | |
| Plaintiff, |) | No. 2:23-cv-01302 |
| |) | |
| v. |) | Magistrate Judge Lisa Pupo Lenihan |
| |) | |
| M. ZAKEN, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |
| |) | |

ORDER

The Plaintiff in this matter has submitted for filing a complaint without a filing fee or the forms required to proceed *in forma pauperis* in a civil rights case. This action may not proceed unless the Plaintiff either,

- (1) tenders to the “Clerk, U.S. District Court” a statutory filing fee in the amount of \$402.00, or,
- (2) files a properly completed application to proceed *in forma pauperis*, along with an authorization form and a certified copy of his prison account statement for the six (6) months preceding the filing of the complaint.

Therefore,

IT IS HEREBY ORDERED this 27th day of July, 2023 that the Clerk of Court mark this case **CLOSED**.

IT IS FURTHER ORDERED that the Plaintiff may submit a motion to proceed *in forma pauperis*, along with a certified copy of the inmate account statement for the six (6)

months preceding the filing of the complaint. If that motion is granted, the case will be reopened.

IT IS FURTHER ORDERED that the Plaintiff may also reopen this case by paying the \$402.00 filing fee.

AND IT IS FURTHER ORDERED that the Plaintiff is allowed fourteen (14) days from this date to appeal this order to a District Judge pursuant to Rule 72.C.2 of the Local Rules. Failure to appeal within fourteen (14) days may constitute waiver of the right to appeal.

/s/ Lisa Pupo Lenihan
Lisa Pupo Lenihan
United States Magistrate Judge

Cc: Timothy Joseph Schittler
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